

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
Arpan P. Mahorowala et al. :
Serial No.: 09/902,728 : Art Unit: 1756
Filed: July 12, 2001 : Examiner: Barreca, Nicole M.
For: Method To Prevent Pattern : Atty Docket: YOR9200000789US1
Collapse In Features Etched In : (20140/0272)
Sulfur Dioxide-Containing :
Plasmas. :
:

DECLARATION UNDER 37 CFR § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Arpan P. Mahorowala, a co-inventor of the invention defined in U.S. patent application 09/902,728 hereby declare that:

1. I have reviewed and understand the contents of the Office Action dated 10/27/2003.
2. I understand that the Examiner has rejected claims 1-3, 7-10, 17, and 20-21 under 35 U.S.C. § 102(b) as being anticipated by Ngo et al. (US 6,528,432) ("Ngo") with Linn (5,833,758) cited to show inherency.
3. I understand that the Examiner has rejected claims 11-16 under 35 U.S.C. § 103(a) as being unpatentable over Ngo (Linn cited for inherency) in view of Allen (5,985,524).
4. I understand that the Examiner has rejected claims 4-6 21 under 35 U.S.C. § 103(a) as being unpatentable over Ngo (Linn cited for inherency) in view of Ni (6,465,159).
5. Ngo forms the basis for each of the rejections cited in the Office Action.
6. Ngo was filed December 5, 2000.

7. I declare that the present invention was conceived prior to the filing of the Ngo reference and was pursued with diligence from the time of conception until the filing date of the present application.

8. Evidentiary support for conception and diligence prior to the Ngo filing is provided in the application as filed. Figure 1 of the application comprises two electron micrographs. Each electron micrograph is provided indicia emplaced by the automatic camera system used to take the pictures. Each micrograph is dated 13-Jul-00 (July 13, 2000).

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 U. S. C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Arpan P. Mahorowala
Arpan P. Mahorowala

DEC. 12, 2003

Date